

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

<p>POZEN INC.</p> <p>Plaintiff,</p> <p>v.</p> <p>PAR PHARMACEUTICAL, INC., ALPHAPHARM PTY LTD., TEVA PHARMACEUTICALS USA, INC. AND DR. REDDY'S LABORATORIES, INC.,</p> <p>Defendants.</p>	<p>CIVIL ACTION NO. 6:08-cv-437-LED-JDL</p> <p>CONSOLIDATED WITH CIVIL ACTION NO. 6:08-cv-437-LED AND CIVIL ACTION NO. 6:09-cv-182-LED</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------

**DEFENDANT ALPHAPHARM PTY LTD.'S NOTICE OF APPEAL TO
THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

PLEASE TAKE NOTICE that Defendant Alphapharm Pty Ltd ("Alphapharm") in the above-named case hereby appeals to the United States Court of Appeals for the Federal Circuit the Order entered on September 12, 2011 (Docket Entry 421).

Dated: September 29, 2011

Respectfully submitted,

/s/ Deron R. Dacus

Deron R. Dacus
State Bar No. 00790553
RAMEY & FLOCK, P.C.
100 E. Ferguson, Suite 500
Tyler, TX 75702
Tel: (903) 597-3301
Fax: (903) 597-2413
derond@rameyflock.com

Thomas J. Parker
Natalie C. Clayton
ALSTON & BIRD LLP
90 Park Avenue
New York, NY 10016
Tel: (212) 210-9529
Fax: (212) 210-9444
thomas.parker@alston.com
natalie.clayton@alston.com

Counsel for Defendant Alphapharm Pty Ltd.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed.R.Civ.P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of this document via email, facsimile and/or U.S. First Class Mail this 29th day of September, 2011.

/s/ Deron R. Dacus
Deron R. Dacus